

# **CMS SOCIAL SECURITY NUMBER REQUIREMENTS**

## **Frequently Asked Questions**

Following an act passed by Congress in late 2007, the Centers for Medicare and Medicaid (CMS), a governmental organization that oversees Medicare and Medicaid plans, is now requiring that all health insurance companies nationwide collect Social Security Numbers for certain medical plan participants and their dependants.

*This requirement has now been extended to Health Reimbursement Arrangements (HRA) plans, which are also considered group health plans. As your Third Party Administrator, BenefitHelp Solutions will be fulfilling the HRA plan reporting requirement to CMS on your group's behalf, as your responsible reporting entity (RRE).*

### **Why do you need our employees' Social Security Numbers?**

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In late 2007, Congress passed the Medicare Medicaid and State Children's Health Insurance Program Extension Act of 2007. This act requires all group health plans to submit information to the Centers for Medicare and Medicaid Services (CMS) such as:

- Total employee count
- Employer tax ID number
- Participant Employment Status
- Social Security Numbers for certain individuals who may be or are Medicare eligible members including:
  - Participants, their eligible spouses and certain dependants
  - Date of birth, gender, and relationship to the participant

### **How will you be collecting the numbers?**

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We will contact the group administrators and request dependant information (eligible dependant's name, relationship to participant, date of birth and Social Security Number) as well as any missing participant Social Security Numbers.

### **Whose numbers will you be collecting?**

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We will start collecting Social Security Numbers for all HRA participants and their eligible spouses and certain dependants for new groups beginning immediately. For current members, we will be collecting the Social Security Numbers for participants, spouses and dependants aged 45 and older, members known to be Medicare eligible due to age or disability, and members of any age who have received dialysis or a kidney transplant.

### **When will you be collecting our group's numbers?**

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We are beginning collecting this information from our groups in September 2010. BenefitHelp Solutions must submit the first data file to CMS in October 2010.

Primarily, you will need to share the Social Security Numbers and demographic information only for the employees on the list which you will receive from BenefitHelp Solutions, including the eligible dependants. Secondly, this new regulation has the potential to affect all employers because of stiff fines. CMS will fine employers \$1,000 per member per day for any missing or incomplete Social Security Numbers.

### **What happens if a member won't provide their number?**

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Employers may be fined by CMS.

### **What penalties are there for those groups who don't provide employee SSNs?**

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**Employers may be affected because they will be fined \$1,000 per member per day by CMS for not reporting member Social Security Numbers of Medicare-eligible members. By working together, we can ensure that employers aren't affected by this change.**

### **Will the employer be fined if its members won't provide their Social Security Numbers?**

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HRA plans are employer self-funded. Self-funding groups (ASOs) will be responsible for any fines resulting from noncompliance within their group.

### **What is the deadline for collecting Social Security Numbers?**

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BenefitHelp Solutions must submit the first data file to CMS in October 2010 for plans beginning October 1, 2010. Our goal is to have all numbers collected by September 24, 2010.

### **Do other health plans have the same requirement?**

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Yes. The act that Congress passed mandated that all health plans nationwide, without exception, must adhere to this new regulation for medical plan members and their dependants.

### **Will you be collecting dependants' Social Security Numbers?**

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Part of the act's requirement is that we must collect the Social Security Numbers for all dependants who are enrolled in Medicare. If an employee's spouse aged 45 or older, or their child is enrolled in Medicare, we are required to collect and report his/her information and Social Security Number.

### **How will the Social Security Numbers be used?**

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BenefitHelp Solutions will be providing the numbers to CMS per the legal requirement in a secure, Health Insurance Portability and Accountability Act (HIPAA)-compliant manner. BenefitHelp Solutions will not share Social Security Numbers for any other reason.